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April 1, 2013

VIA E-MAIL TRANSMISSION

The Honorable Robert E. Gerber
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004

Re: In re Motors Liquidation Company, *et al.*
Case No. 09-50026 (REG)

Motors Liquidation Company GUC Trust v.
Appaloosa Investment Limited Partnership I, *et al*
Adv. Proc. No.: 12-09802 (REG)

New GM Administrative Claim Hearing -- April 4, 2013

Dear Judge Gerber:

King & Spalding LLP is counsel to General Motors LLC ("**New GM**") in the above-referenced matter. The adjourned hearing date on the GUC Trust's objection to the timeliness of New GM's administrative expense claim is scheduled for April 4, 2013. The primary focus of the timeliness dispute relates to the *Nova Scotia* matter, and a key issue relating to the timeliness dispute is whether the Creditors' Committee ever filed a Rule 60(b) motion to vacate a portion of the Court's July 2009 Sale Order (either before the First Administrative Bar Date or otherwise). This same issue will be briefed by New GM, the GUC Trust, and the Nova Scotia Finance Note Holders as part of their post trial submissions relating to the Rule 60(b) motion *to be filed* by the GUC Trust. New GM asks the Court to consider that, *inter alia*, because (a) the Rule 60(b) issue overlaps two separate matters, (b) the other parties involved in the *Nova Scotia* trial will want to be heard on the Rule 60(b) issue, and (c) the timeliness issue may be rendered moot if the Rule 60(b) request is denied, it would make sense to defer the hearing on the objection to New GM's Administrative Expense Claim until, at least, oral argument on the Rule 60(b) motion (or even later, after the Rule 60(b) motion is decided). This delay would not prejudice the GUC Trust

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since, among other things, it does not appear that the GUC Trust has ever created a claims reserve for New GM's Administrative Expense Claim. New GM made this adjournment suggestion to the GUC Trust, most recently, after the conclusion of the *Nova Scotia* trial, and the GUC Trust rejected it. New GM believes this issue is appropriate to raise with the Court and that the best way to do so is by letter before the April 4 hearing date, so the Court will have sufficient time to consider the request.

Respectfully submitted,

/s/ Arthur Steinberg

Arthur Steinberg

AJS/sd

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